



**THE CITY OF NEW YORK  
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December 1, 2023

**BY ECF**

Honorable Joseph A. Marutollo  
United States Magistrate Judge  
United States District Court  
Easter District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Capers v. Calle,  
22-CV-7980 (AMD)(JAM)

Your Honor:

I am a Senior Counsel in the office of the Hon. Sylvia Hinds-Radix, Corporation Counsel of the City of New York, assigned to the defense of the above-referenced matter. The parties write jointly, pursuant to Court Order, provide a status update in this case.

All of the defendants have now answered the complaint. The parties are concluding paper discovery in this matter and expect to soon be in a position to begin scheduling depositions. The parties believe that there will be approximately 4-5 deposition in this matter, and thus it is anticipated that the parties will jointly request an extension of the January 5, 2024 fact discovery deadline after such time as a deposition schedule can be agreed upon.

The parties have also begun to discuss the prospect of settlement. Plaintiff has not yet provided a settlement demand, and defendants will only be in a position to determine whether a settlement conference would be productive after such time as a demand is provided. Therefore, it would be premature to schedule a settlement conference at this time.

The parties propose that they jointly file another status letter on or before January 2, 2024, proposing a new schedule for the remainder of fact discovery and requesting a date for a settlement conference, should the parties determine that one would be productive.

Respectfully submitted,

/s/

Carolyn K. Depoian  
Senior Counsel

cc: Garnett H. Sullivan  
*Attorney for Plaintiff (by ECF)*